

REMARKS

In response to the Office Action dated December 7, 2005, Applicants respectfully request reconsideration based on the above amendments and following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-6, 8-9, and 11-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson in view of Laybourn.

Claim 1 as amended recites, *inter alia*, "the rate plan and features corresponding to the rate plan and features for calls made using the wireless device." In applying the references, the Examiner cites to Henderson, column 15, lines 5-30 as allegedly teaching providing the rate plan information. The rate information in Henderson, however, is not related to calls made using a wireless device. Henderson provides prepaid customer support, and the information provided to a caller relates to an amount of customer support remaining, not to a rate plane and features for calls made using the wireless device. Thus, Henderson fails to teach processing recited in claim 1.

Claim 1 as amended recites, *inter alia*, "wherein the wireless device automatically provides a mobile identification number to identify the wireless device and an account associated with the wireless device; wherein the customer is prompted to enter a passcode, the IVR application providing IVR service upon receipt of a valid passcode associated with the mobile identification number." In applying Henderson, the Examiner acknowledges that Henderson fails to teach "wherein the wireless device automatically provides a mobile identification number to identify the wireless device." The Examiner relies on Laybourn for this feature. Applicants submit that one of ordinary skill in the art would not have combined Henderson and Laybourn in the manner proposed by the Examiner.

Henderson teaches an IVR system in which a customer calls a number and enters a PIN found on service card 200. The service card and the PIN entitle the customer to a predetermined amount of customer service. The service card 200 is sold with a product or purchased separately (col. 5, lines 30-32). Thus, the customer service function is

provided by the customer calling an 800 number and entering the PIN. The customer's prepaid service account is then debited appropriately (col. 5, lines 34-51).

Laybourn discloses a system for managing prepaid wireless service. When a wireless phone contacts the system, an IVR system detects the MSISDN for the wireless phone in order to determine if the wireless phone is a valid subscriber and the status of the subscriber (col. 5, lines 12-27). This MSISDN is needed in order to confirm and provide the appropriate prepaid wireless service.

Henderson, in contrast to Laybourn, does not need to know the identity of the wireless device calling to receive the customer service. In Henderson, it is not relevant what phone is used to obtain the customer service. What is relevant is that the user call the 800 number and provide the PIN. The Examiner reasons that "the motivation for this combination would have been to speed up the system by automatically extracting any possible information so that the user does not have to manually enter it." There is no indication in Henderson that such information is needed or that such information would be available from the user's wireless phone MIN. In Henderson, it is not relevant what phone the customer uses to contact the IVR system. The user can use a home landline phone, a wireless phone, a pay phone, etc. What is important in Henderson is that the customer enter the correct PIN to receive the customer support.

Furthermore, In Henderson there is no need for a wireless phone MIN and a passcode as recited in claim 1. Henderson is not specifically related to providing service information for a wireless phone, but rather provides service information generically to products. It is not clear why Henderson would need a customer's MIN when the customer PIN in Henderson is used to access the customer's account data. As taught by Henderson, the PIN is used to access the pre-paid account from an SDP 404 (column 8, lines 53-54). The customer account data includes the information concerning the product for which service is provided (column 8, lines 8-26). Thus, there is no need in Henderson to identify the MIN. All needed information is available once the customer provides the PIN. Thus, there is no need to modify Henderson with the teachings of Laybourn.

Applicants assert that there is no motivation to combine Henderson and Laybourn in the manner proposed by the Examiner. Laybourn is directed to managing prepaid wireless service and thus requires the MSISDN in order to provide wireless phone

service. Henderson has no relation to providing phone service, but rather provides customer service to user's irregardless of the phone used to contact a toll free number. Thus, there is insufficient motivation to combine Henderson and Laybourn in the manner proposed by the Examiner.

Claim 1 is patentable over Henderson in view Laybourn for at least the above reasons. Claims 2-6, 8-9 and 11 depend from claim 1 and are patentable over Henderson in view of Laybourn for at least the reasons advanced with reference to claim 1. Claim 12 includes features similar to those discussed above with reference to claim 1 and is patentable over Henderson in view of Laybourn for at least the reasons advanced with reference to claim 1. Claims 13-20 depend from claim 12 and are patentable over Henderson in view of Laybourn for at least the reasons advanced with reference to claim 1.

New claims 21 and 22 recite using a short message service to send a text message including the rate plan and features corresponding to the rate plan and features for calls made using the wireless device. This feature is not taught or suggested in Henderson or Laybourn.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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